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Enhancing the effectiveness of the principle of periodic and genuine elections

Report of the Secretary-General

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I. INTRODUCTION

1. The present report is submitted in implementation of paragraph 11 of General Assembly resolution 45/150 of 18 December 1990 entitled "Enhancing the effectiveness of the principle of periodic and genuine elections". In that resolution, the General Assembly, inter alia, requested the Secretary-General to seek the views of Member States, specialized agencies, other competent bodies of the United Nations system and those with specific expertise in the area, concerning suitable approaches that would permit the Organization to respond to the requests of Member States for electoral assistance. The General Assembly also requested the Secretary-General to report his findings, together with an account of United Nations experience in election monitoring, to the Assembly at its forty-sixth session.

2. Pursuant to paragraph 10 of the resolution, the Secretary-General, in a note verbale of 15 February 1991, invited Member States to submit their views on the subject. Similar letters were sent to a number of specialized agencies, international and regional organizations and intergovernmental and non-governmental organizations. As at 23 October 1991, replies had been received from 51 Member States and 12 from other entities.

3. Given the breadth of many of the replies, it has been considered appropriate to include those received from Governments and intergovernmental organizations in an addendum to the present report. 1/ Common concerns, arguments and suggestions are also reflected in the main text. Views other than those from the Governments, have similarly been used as appropriate.

4. The present report is submitted in response to General Assembly resolution 45/150.

Concepts

5. The already complex discussion on the future role of the United Nations in the electoral field has not been helped by the adequacy or precision of the terms employed. The expression "electoral assistance" has been used in some cases (e.g., Haiti) as an all-encompassing term, which included the verification of an electoral process, technical assistance and observation of measures relating to electoral security. In other cases, the term has been used as a synonym for technical support provided to the electoral authorities. The terms "supervision", "observation", "verification" and "monitoring" are often employed almost interchangeably. The United Nations involvement in elections has basically been of two kinds: electoral verification, involving the presence of United Nations observers in the territory or country concerned; and electoral assistance, encompassing the provision of a variety of technical or advisory services, but not involving any verification functions. These two terms have been used throughout the report, except when quoting from official documents.

6. The term "verification" of an electoral process will thus be used

interchangeably to cover electoral supervision or observation of any popular consultation, be it an election, a referendum or a plebiscite. The manner in which the Organization has exercised its responsibility in this field presents some common essential features as well as variations, depending on the case concerned. The expression "electoral supervision" has been used in those cases describing United Nations involvement on its own or in conjunction with the competent national organ, in the organization and conduct of a popular consultation. In the framework of decolonization, supervision missions were dispatched, inter alia, to Togo, Cameroon under British administration, Ruanda-Urundi, Western Samoa, the Cook Islands and Equatorial Guinea. When such missions take place following peace settlements in which the United Nations has been in some way involved, electoral supervision may be part of a broader verification mission with other components. Depending on the situation in the territory or country concerned, thorough and extensive verification techniques might be needed. In other cases, as in Namibia, not only the results of the elections but all steps of the process, in both its political and electoral aspects, might require certification by the Special Representative of the Secretary-General to confirm their validity.

7. Other cases of electoral verification involve the dispatching of United Nations missions to countries where, as in the cases of Nicaragua and Haiti, the election or referendum is administered and organized by a national organ and, for this reason, the United Nations role might be less encompassing. In some decolonization cases the term "observation" has been used by the Trusteeship Council or by the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to describe small missions consisting of representatives of Member States who travel to the Territory in question for a relatively brief period, sometimes a few days. Such has been the case for instance, with the missions to observe elections and referenda in the Trust Territory of the Pacific Islands and the 1977 referendum and elections in French Somaliland.

8. The term "electoral assistance" will be employed in the case of the provision of a variety of technical assistance including analysis, advice, equipment or training, to government institutions in relation to specific requirements of the country's electoral process. Such assistance could range from the provision of the services of experts and consultants on legal or technical matters to the provision of data-processing equipment, electoral material or assistance in the administrative and managerial aspects of the electoral process. In most cases, technical assistance has been provided directly and not as a component of a verification (supervision or observation) mission. The provision of technical assistance could, in some cases, precede a verification mission and could be used as a tool in the evaluation of its opportunity and feasibility. The Centre for Human Rights, the Department of Technical Cooperation for Development and the United Nations Development Programme (UNDP) have been providing assistance related to electoral matters in the framework of their respective programmes. The lending of such assistance does not as a rule require a decision of a political nature by the United Nations.

II. UNITED NATIONS EXPERIENCE IN ELECTORAL VERIFICATION

A. Experience in Non-Self-Governing Territories

9. While the involvement of the United Nations in the verification of electoral processes in independent States is new and still a matter of debate, the history of the Organization's involvement in the conduct of popular consultations or elections in colonial territories is rich and varied and of long standing. 2/ Its basis is founded on the principle of equal rights and self-determination of peoples laid down in Article 1, paragraph 2 of the Charter of the United Nations and further elaborated as regards Trust Territories in Article 76 b of the Charter. The Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV) of 14 December 1960, gave further impetus to this right and sanctioned its extension to all Non-Self-Governing Territories covered by Chapter XI of the Charter. Resolution 1541 (XV) of 14 December 1960, which contains the principles which should guide Members in determining whether or not an obligation exists to transmit the information called for in article 73 e of the Charter of the United Nations, provides in principle IX (b) for the possibility of United Nations supervision of electoral processes in Non-Self-Governing Territories. Thereafter, the role of the United Nations in verifying acts of popular consultation was not limited to Trust Territories, but could extend to all Territories falling within the scope of the Declaration. The Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations, contained in the annex to resolution 2625 (XXV) of 24 October 1970, further enshrined the right of peoples to self-determination, as did article 1 common to the two International Covenants on Human Rights.

1. Trust and Non-Self-Governing Territories

10. From the beginning, the purpose of United Nations involvement in popular consultations has been to ensure that the people of a Territory exercising their right to self-determination were able to make their choice in a free and unfettered manner. At the same time, it should be pointed out that the precise function of the United Nations in observing or supervising popular consultations has not been uniform. It has varied according to the circumstances of the case and the mandate established by the General Assembly, the Trusteeship Council or other appropriate organ. The ultimate objective in all cases, however, has been to ensure that the people make their choice and determine their future in complete freedom.

11. The determination of the time and the circumstances under which a popular consultation was to be held was sometimes made by the Administering Authority, at others by a United Nations visiting mission, which, in turn, made a recommendation to the competent United Nations political bodies, normally the General Assembly or the Trusteeship Council.

12. Whatever the nature and circumstances of an act of popular consultation, a legal framework has to govern such acts. From the viewpoint of the United Nations, the basic legal instruments have been of the Charter of the United Nations, the Declaration on the Granting of Independence to Colonial Countries and Peoples and relevant international agreements. Within the context of such basic documents, the legal framework for each given act was established on the one hand by the General Assembly or any other appropriate United Nations organ and on the other by the Administering Authority or the authorities in the Territory. The legal basis for United Nations involvement was provided by resolutions of the General Assembly (e.g., in the cases of Togoland under British and French Administrations, Ruanda-Urundi, Western Samoa, the Cook Islands, or French Somaliland), the Security Council (e.g., Bahrein) or the Trusteeship Council (e.g., the many observation missions to the Trust Territory of the Pacific Islands). Apart from establishing the legal basis, the resolutions also provided for the appointment of a Commissioner, or of a mission, and defined their mandates. The term "supervision" generally has been employed to describe United Nations presence encompassing the whole process of popular consultation. In some of those cases (e.g., supervision of the plebiscites in Togoland under British Administration (1956) and Northern Cameroon (1959 and 1961) and of legislative elections in Togoland under French Administration (1958), and in Ruanda-Urundi (1961)), a commissioner or a commission was appointed, the basic electoral provisions for the organization and conduct of the electoral process were drawn up in consultation with the United Nations Commissioner and the wording of the question in the ballot to be put to the voters in the case of a referendum was formulated or approved by the appropriate United Nations organ, which afterwards endorsed or approved the results of the vote. An "observation" was usually more limited in scope, and the mission was headed by a chairman appointed by the Trusteeship Council, as in the cases of elections and referenda in the Trust Territory of the Pacific Islands (1978-1990), or by the Chairman of the Special Committee, as in the case of Niue (1974). At the conclusion of the exercise, the mission compiled a report to the relevant organ of the Organization with an account of the visit to the Territory and its observation of all the aspects and phases of the consultation, together with conclusions and recommendations, as appropriate. The report was also transmitted to the Administering Authority.

13. The United Nations has always insisted on either observing or, in the case of supervision, being closely associated with all phases of the organization and conduct of popular consultations, which involved: definition of a calendar for the various phases of the electoral process; setting up the system of voting; establishing the conditions for registration and registering voters; maintenance of law and order; implementation of a political education programme; monitoring of the political campaign; arrangements for polling day; provision of penalties for offences in connection with the vote; counting and tabulation of the vote; declaration of the results; and arrangements for appeals and review. The United Nations also established the practice of maintaining close consultation with the authorities concerned and of reviewing various aspects of the legal framework in order to ensure that they were in conformity with the requirements of complete freedom and impartiality.

14. One characteristic of the operations in these Territories was their comparatively small size. 3/ The number of observers rarely exceeded 30. This was the case even in situations of deep mutual distrust and of open or latent conflict with neighbouring countries.

2. Namibia

15. In a formal sense, the case of Namibia belongs to the previous group, but the operation became a category in itself. The operation in Namibia, known as the United Nations Transition Assistance Group (UNTAG), marked the culmination of 70 years of international involvement - first through the League of Nations and then the United Nations - on behalf of the people of the Territory. Following the termination of the Mandate by the General Assembly in 1966, the Territory was placed under the direct responsibility of the United Nations, which administered it through the United Nations Council for Namibia established in May 1967. The Security Council, in 1969, endorsed the decision of the General Assembly, and the International Court of Justice, in 1971, confirmed the illegality of South Africa's continued presence in the Territory. In 1976, the Security Council declared in its resolution 385 (1976) that it was imperative to hold free elections in Namibia under United Nations supervision and control. Thereafter, efforts were undertaken in 1977 by the then five Western members of the Security Council - the three permanent members plus Canada and the Federal Republic of Germany - later known as the "Contact Group", which, following extensive talks with South Africa, South West Africa People's Organization (SWAPO) and the front-line States, presented in April 1978 a "proposal for a settlement of the Namibian situation". In July 1978, the Security Council requested the Secretary-General to appoint a Special Representative for Namibia in order to ensure the early independence of Namibia through free elections under the supervision and control of the United Nations (resolution 431 (1978)). On the basis of the report submitted by a survey mission to the Territory led by the Special Representative, Mr. Martti Ahtisaari (Finland), a plan to implement a settlement proposal was submitted to the Security Council by the Secretary-General in August of the same year. In its resolution 435 (1978), the Security Council approved the Plan for the independence of Namibia and its implementation. Under the Plan, South Africa was to administer the elections for a Constituent Assembly, through the appointment of an Administrator-General, while the United Nations exercised its supervision and control through a Special Representative of the Secretary-General assisted by a United Nations Transition Assistance Group (UNTAG).

16. The Plan contained detailed provisions for the implementation of the settlement over a seven-month period. Various steps included a cease-fire between South Africa and SWAPO accompanied by the confinement to bases of all combatants; the dismantling and demilitarization of local military and paramilitary forces; the release of all political prisoners and detainees before the start of the election campaign; repeal of all discriminatory and restrictive laws that might abridge or inhibit the object of free and fair elections; and the return of refugees and of former SWAPO forces under United

Nations supervision. In carrying out his responsibilities, the Special Representative was to work together with the Administrator-General appointed by South Africa to ensure the orderly transition to independence. While the maintenance of law and order during the transition period was to remain with the existing police forces, the Administrator-General was to ensure their good conduct to the satisfaction of the Special Representative. The latter was responsible for monitoring the activities of the local security forces, the South West African Police (SWAPOL), through international police monitors, to ensure that they discharged their duties in a professional, objective and impartial manner.

17. The responsibilities of the Special Representative in the political and electoral process were extensive. He was to satisfy himself at each stage of the fairness and appropriateness of all measures affecting the political process at all levels of administration before such measures took effect, and was authorized to make proposals regarding any aspect of each stage. In addition, the official electoral campaign was only to begin when the Special Representative had satisfied himself of the fairness and appropriateness of electoral procedures. The implementation of the electoral process, including the registration of voters and the tabulation and publication of the voting results was to be conducted to his satisfaction. He was also to take steps to ensure that there was no intimidation or interference with the electoral process from any quarter.

18. UNTAG was essentially a political operation, the basic mandate of which was that free and fair elections were to be held in Namibia. Its task comprised the creation of conditions for such an election, which required ensuring a major change in the political atmosphere, so that the electoral campaign would develop in a democratic climate. A very large-scale operation, UNTAG consisted of a civilian component, which included a large police element, and a military component. At its maximum deployment, during the elections from 7 to 11 November 1989, the overall strength was almost 8,000, including just under 2,000 civilians, 1,500 civilian police monitors (CIVPOL) and approximately 4,500 military personnel.

19. The electoral supervision was very thoroughly carried out. Namibia was divided into 23 electoral districts for the organization and conduct of elections. For the registration of voters, 283 internationally recruited staff were working in the field as counterparts to all senior registration officials appointed by the Administrator-General in the 23 electoral districts, on a one-to-one ratio. About 700,000 voters were registered almost without incident. UNTAG CIVPOL were assigned to all temporary and permanent registration centres to monitor SWAPOL to ensure the absence of intimidation during the registration period. Among their responsibilities, UNTAG police monitors were to ensure the good conduct of the existing police force and to take the necessary action to ascertain its suitability for continued employment during the transition period.

20. On election day, some 358 polling stations had been established, of which 215 were at fixed locations and 143 were mobile. For the effective

supervision and control of elections at fixed polling stations, the Special Representative was assisted by 1,783 UNTAG electoral personnel who supervised some 2,500 counterparts appointed by the Administrator-General, a four-to-five ratio. Out of the 1,753 UNTAG supervisors, 885 were seconded from 27 Member States, 358 were provided by the military component of UNTAG and the remaining 510 were drawn from within the United Nations system. Over 100 nationalities were represented in the operation.

21. It was not only the scale and thoroughness of the operation that made UNTAG a special case; its mandate as regards the political and electoral process was similarly innovative and broadly encompassing. In order to create the political conditions for free and fair elections, UNTAG organized a massive public information campaign using radio, television, visual materials and prints, as well as a people-to-people campaign of voter education. An extensive programme of contacts was developed by UNTAG political offices.

22. UNTAG negotiated the adoption and amendment of laws and ordinances with the Administrator-General on the following issues: amnesty and the repeal of discriminatory and restrictive laws; laws concerning the registration of voters, registration of political parties, elections and the establishment of the Constituent Assembly, as well as agreements concerning UNTAG's role therein. Other negotiations related to the release of political prisoners, the return of over 40,000 refugees, a political code of conduct for political parties and the monitoring of the Constituent Assembly, after the elections, to ensure compliance with the 1982 Principles concerning the Constituent Assembly and the Constitution for an independent Namibia negotiated by the Contact Group with South Africa and SWAPO (S/15287). In addition, the settlement proposal provided for the appointment of an independent jurist of international standing to advise on any disputes that might arise in connection with the release of political prisoners and detainees.

23. The visible presence of UNTAG in monitoring all transition steps to independence in order to ensure the implementation of the process according to the Plan contributed to the overall atmosphere of order and confidence. The elections were certified to have been free and fair by the Special Representative, thus paving the way for the convening of the Constituant Assembly and the early independence of Namibia.

3. Western Sahara

24. In April 1991, the Security Council decided, in resolution 690 (1991), to establish, under its authority, a United Nations Mission for the Referendum in Western Sahara (MINURSO) in accordance with the report presented by the Secretary-General (S/22464 and Corr.1), according to which a referendum for self-determination would be organized to enable the people of the Territory to decide their future. The referendum is to be organized and supervised by the United Nations in cooperation with the Organization of African Unity. That report, which was approved by the Security Council in the same resolution, contains the main elements of the plan for the implementation of the

settlement proposals agreed to by the Kingdom of Morocco and the Frente Popular para la liberación de Saguia el-Hamra y de Río de Oro (Frente POLISARIO), including the vesting of sole and exclusive responsibility on all matters with regard to the organization and conduct of the referendum in a Special Representative, acting under the authority of the Secretary-General. The Special Representative is to be assisted by MINURSO, which will consist of civilian, security and military units functioning as an integrated operation. MINURSO's presence in the territory is expected to last for up to 3[illegible] weeks, including a period of some weeks after the results of the referendum have been proclaimed. The Plan contains provisions, inter alia, for the release of political prisoners and detainees, exchange of prisoners of war, return of refugees, arrangements for the identification and registration of voters and the establishment of a code of conduct for the referendum campaign. The civilian unit of MINURSO is expected to total approximately 275 international staff members, the security unit up to 300 police officers and the military unit approximately 1,600 observers. 4/

B. Verification in Member States

25. Prior to the verification missions in Nicaragua and Haiti, a mission to witness the plebiscite on the Panama Canal Treaties was carried out in October 1977. The Secretary-General at the invitation of the Government of Panama, sent a Special Representative, Mr. Erik Suy (Belgium), assisted by a small team, whose mandate was to witness how the people of Panama pronounced themselves on the treaties between Panama and the United States of America agreed in Washington, D.C., on 7 September 1977. The mission observed the pre-plebiscite campaign and all stages of the process and concluded that "the plebiscite of 23 October 1977 took place in a normal way and that it was an example in democracy" (A/32/424).

26. It will be recalled that the Agreement on a Comprehensive Political Settlement of the Cambodia Conflict signed in Paris on 23 October 1991 provides, inter alia, for free and fair elections to be organized and conducted by the United Nations. 5/

1. Nicaragua

27. In the Agreement on Procedures for the establishment of a firm and lasting Peace in Central America, also known as the Esquipulas II Agreement (A/42/521-S/19085), of 7 August 1987, the Presidents of Costa Rica, El Salvador, Guatemala, Honduras and Nicaragua undertook, inter alia, to "promote an authentic democratic process [in their own countries] that is pluralistic and participatory, which entails the promotion of social justice and respect for human rights" and "to invite the Organization of American States, [and] the United Nations ... to send observers to verify that the electoral process has been governed by the strictest rules of equal access for all political parties to the communications media and by ample opportunities for organizing public demonstrations and any other type of political

propaganda". In a Joint Declaration of 14 February 1989 adopted at Costa del Sol, El Salvador (A/44/140-S/20491), the five Presidents of the Central American countries took note of the announcement by the President of Nicaragua of a series of measures that his Government was prepared to undertake in order to foster a process of democratization and reconciliation in his country, among which was the holding of national elections no later than 25 February 1990. In the Declaration it was also noted that international observers, in particular the representatives of the Secretary-General of the United Nations and the Secretary-General of the Organization of American States (OAS), would be invited to be present in all electoral districts during the process, in order to "verify that the electoral process is genuine". In the same Declaration, the Central American Governments also undertook to draw up a joint plan for the voluntary demobilization, repatriation or relocation of members of the Nicaraguan resistance and their families.

28. On the basis of the foregoing, the Minister for Foreign Affairs of Nicaragua, in a letter dated 3 March 1989, requested the Secretary-General to establish a group of international observers whose mission would be to verify that the measures announced by the Government of Nicaragua were implemented and that the electoral process was "genuine during every stage". The request put the United Nations in a very particular situation. On the one hand, there could be no question about United Nations experience in performing tasks of this kind in Trust and Non-Self-Governing Territories and in the context of decolonization. On the other, there was no precedent for carrying out such observation in an independent country. Since the General Assembly was not in session at the time, the following month the Secretary-General addressed a letter to the President of the General Assembly (A/44/210) informing him of the Nicaraguan request and noting that, although in the past the Organization had declined invitations from Member States, this particular case involved special factors. First, it was not a request by a single Member State, but one which, in accordance with the Costa del Sol Declaration, had the support and the backing of the Presidents of the other four Central American countries and clearly was being made in the context of the Esquipulas peace process; secondly, the General Assembly, in its resolution 43/24 of 15 November 1988 had requested the Secretary-General "to afford the fullest possible support to the Central American Governments in their efforts to achieve peace, especially by taking the measures necessary for the development and effective functioning of the essential verification machinery". Finally, it was not simply a request for a token presence on election day, which had been a feature of many other previous invitations by Member States, but for the verification of the fairness of the entire process throughout its 10-month duration and in all electoral districts.

29. Before deciding on the Nicaraguan request, the Secretary-General sent several missions to Nicaragua to establish contacts with the Government, electoral authorities and opposition parties and to observe the debate in the Legislative Assembly on the reforms of the electoral laws and of the laws regulating the mass media. The matter was also raised at a later stage in the course of contacts with the Nicaraguan resistance. An in-depth study was made of the legal instruments emerging from the electoral reform process, and

United Nations expert consultants submitted a detailed report to the Nicaraguan Government containing, inter alia, a number of suggestions in specific areas, which they believed required further clarification. The Secretary-General also wrote to the Secretary-General of the Organization of American States (OAS) suggesting that the mandate be carried out jointly, since the respective General Assemblies had instructed the two Secretaries-General to increase their cooperation in that area (A/44/304, annex). It also became vitally important to define clearly the conditions and the terms of reference under which United Nations observation might be carried out.

30. On 5 July 1989, having ascertained the absence of any objection to the considerations put forward in his earlier letter to the President of the General Assembly, the Secretary-General informed him that, acting within the terms of resolution 43/24, he was prepared to establish a United Nations Observer Mission to verify the electoral process in Nicaragua. The terms of reference of the Mission were contained in an exchange of letters between the Secretary-General and the Government of Nicaragua (A/44/375). Subsequently, the General Assembly in resolution 44/10, expressed its support for the Secretary-General's decision. The Security Council, in its resolution 637 (1989) of 27 July 1989, dealing with the Central American peace process, also took note of the Secretary-General's agreement with Nicaragua to deploy a United Nations elections observer mission in that country.

31. The United Nations Observer Mission to verify the electoral process in Nicaragua (ONUVEN) became operational on 25 August 1989. The Secretary-General appointed Mr. Elliot L. Richardson (United States of America) to serve as his Personal Representative. As with UNTAG, though for different reasons, ONUVEN was innovative as far as United Nations practice is concerned.

32. Although much smaller than UNTAG in size (237 observers at maximum strength), ONUVEN established in-depth procedures that did and will prove valuable for other verification exercises. The fact that the Mission was operating in a sovereign and independent country made it an even more complex and delicate exercise than previous missions undertaken in dependent territories. ONUVEN's mandate included the following tasks: verifying that political parties were equitably represented in the Nicaraguan Supreme Electoral Council and its subsidiary bodies; verifying that political parties enjoyed complete freedom of organization and mobilization, without hindrance or intimidation; verifying that all political parties had equitable access to State television and radio; verifying that the electoral rolls were properly drawn up; and informing the Supreme Electoral Council of any complaints received or any irregularities or interference detected in the electoral process. The Mission submitted periodic reports, including a final report to the Secretary-General and, through him, to the General Assembly (A/44/642, A/44/834, A/44/917, A/44/921 and A/44/927).

33. At its forty-fifth session, the General Assembly, in resolution 45/15, took note of the reports of the Secretary-General on the verification of the electoral process in Nicaragua at each and every stage by ONUVEN carried out at the request of the Government of Nicaragua and in particular its conclusion that the electoral process as a whole was orderly, free and fair.

34. The Mission enjoyed unrestricted freedom of movement throughout the country, so that the presence of the observers became widely known. Offices were established in all but one of the electoral regions during the second phase of the mission to coincide with the official opening of the electoral campaign. Observers attended all major political rallies and closely monitored and analysed access to and coverage of the media, including radio and TV programmes. For the third and final phase of the process, the core group of 54 officials, plus half a dozen expert consultants advising the mission, was reinforced with the arrival of 200 additional observers, one third drawn from the United Nations Secretariat, one third from organizations belonging to the United Nations system working in the region and another third provided by Governments of 20 Member States. The total number of nationalities eventually represented in the operation was 50.

35. Another innovation introduced by ONUVEN was the systematic use of statistically-based verification methods, both during registration and voting. Because of the different political conditions, the size of the Nicaraguan electorate (over 1.7 million registered voters) and the number of polling stations (over 4,300), it was neither appropriate nor possible for the Mission to apply the one-to-one verification approach conducted by UNTAG. During election day, ONUVEN observers visited 49 per cent of all polling stations, filling out a questionnaire for each one of them. The Mission also made a projection of the results of the Presidential election based on a large random sample of polling stations (about 300), which produced extremely accurate predictions. The projection (also called quick count) was within half a point of 1 per cent accurate by 9 p.m. on election day. The information, which remained confidential, proved to be crucial in the overnight efforts by the Secretary-General's Personal Representative, Elliot Richardson, the Secretary-General of the Organization of American States and former United States President Jimmy Carter representing the Council of Freely Elected Heads of State, involving the President of Nicaragua and the victorious opposition coalition. An agreement by both sides to restrain the reaction of their respective supporters that night was a key factor in ensuring the successful initiation of the transitional efforts in which the United Nations played an important role.

36. ONUVEN was the first operation by the United Nations within the context of the Central American peace process. In September 1989, the International Support and Verification Commission (CIAV), composed of the Secretaries-General of the United Nations and of the OAS, was established pursuant to the Joint Plan for the voluntary demobilization, repatriation or relocation of members of the Nicaraguan resistance and their families and of other irregular forces when they request it, adopted in August 1989 by the Presidents of the Central American countries at their meeting at Tela, Honduras (A/44/451-S/20778). In November 1989, the Security Council approved the establishment of the United Nations Observer Group in Central America (ONUCA) to verify compliance by the five Central American Governments with the security commitments entered into under Esquipulas II. A variety of political factors and developments, both inside and outside the region, prevented the demobilization of the Nicaraguan resistance prior to the February 1990

elections in conformity with the timetable agreed upon at Tela by the five Presidents.

2. Haiti

37. Haiti's informal request for electoral assistance through UNDP was one of the first acts of the provisional Government that took office in March 1990. The request came at a time when the country remained in the grip of an endemic political, economic, social and institutional crisis. The successive short-lived governments after the fall of President Jean-Claude Duvalier were each the product of either a coup d'état or an election of questionable credibility. The holding of free and fair elections in a favourable climate was seen as a matter of top priority. A technical assistance mission and a number of visits by envoys of the Secretary-General, as well as by Mr. Joao Augusto de Medicis (Brazil), the Personal Representative of the Secretary-General, further clarified the official request that the Interim President of Haiti addressed to the Secretary-General on 23 June 1990 (A/44/965 and Corr.1, annex). The letter specified that all sectors responsible for holding free, fair and credible elections - the Council of State, the Interim Electoral Council and the Haitian Armed Forces - joined in the request for assistance. In addition to technical cooperation in the electoral field already financed by UNDP, the request called for the observation and verification of the elections, covering the entire electoral process as well as public security assistance, upon which participation by voters and consequently the credibility of the outcome depended. Assistance was therefore requested in the form of advisers with experience in security matters for the Coordinating Committee of the Haitian Armed Forces in developing and implementing electoral security plans, as well as United Nations observation of their implementation throughout the national territory. Another letter dated 9 August 1990 elaborated on the request and described the functions to be performed by the civilian and security components of the observer mission (A/44/973, annex II).

38. On 7 September 1990, the Secretary-General, recalling his oral statement on 28 June, informed the Security Council (S/21845) that he had received a letter dated 20 August from the Chairman of the Group of Latin American and Caribbean States forwarding the text of a draft resolution that the Group intended to submit for consideration to the General Assembly as a means of responding to the specific request by Haiti (A/44/973, annex I). Should the General Assembly adopt the draft resolution, the Secretary-General added, he would establish a United Nations Observer Group for the Verification of Elections in Haiti (ONUVEH) to provide assistance in the observation and verification of the electoral process and in drawing up security plans and observing their implementation.

39. The request for United Nations electoral verification in an independent country generated considerable discussion within the Organization, and one of the issues was whether the request could be reconciled with the provisions of Article 2, paragraph 7 of the Charter. Opinions differed on the existence of an international dimension in the Haitian case. Furthermore, as the Haitian

request involved security aspects, discussions over its substance were also accompanied by different views on the question of the respective competence of the Security Council and the General Assembly regarding deployment of military personnel. If on the one hand the decision to establish an electoral verification mission appeared to fall within the competence of the General Assembly, others argued that the dispatching of military or police personnel to a Member State was the prerogative of the Security Council.

40. On 5 October 1990, members of the Security Council informed the Secretary-General of their concurrence on the importance of a positive response to the Haitian request. Without prejudice to their positions on the competence of the organs of the United Nations and of their right to raise the matter at any later time, they noted that the assistance involved, inter alia, the provision of advisers, observers and experts on electoral security matters but did not include the use of any peace-keeping forces, and that the proposed assistance to the electoral process would be considered in its entirety by the General Assembly (S/21847). Following extensive consultations, on 10 October 1990, the General Assembly eventually adopted by consensus resolution 45/2 on electoral assistance to Haiti. The resolution requested the Secretary-General to provide the broadest possible support to the Government of Haiti in meeting the following requests: a nucleus of some 50 observers for the duration of the electoral process and its reinforcement during elections and voter registration; assistance to the Coordinating Committee for the security of elections, to be provided by two or three advisers; and observation of the implementation of the electoral security plans by specialized observers with solid experience in the field of public order.

41. The case of Haiti differed from that of Nicaragua in that the international dimension of the case was less evident. The design of the Mission was also different in several aspects. Somewhat smaller in size than ONUVEN, the Mission in Haiti included an important innovation: the provision of technical assistance to the Committee on Electoral Security and the deployment of 62 security observers charged with following the implementation of security measures. Also for the first time, the Mission included a large-scale UNDP technical assistance project to the Provisional Electoral Council, a measure made necessary by the lack of experience on the part of the electoral authorities.

42. The Mission submitted to the Secretary-General, who in turn transmitted them to the General Assembly, two reports on the conduct of the elections, including the Presidential election that resulted in the victory in the first round of Fr. Jean-Bertrand Aristide, elected with over 67 per cent of the votes (A/45/870/Add.1). The General Assembly in its resolution 45/257 A of 21 December 1990 welcomed the successful implementation of and results of its resolution 45/2 expressed its determination to assist Haiti in overcoming its severe economic and social problems and decided to keep the question on assistance to Haiti under review, requesting the Secretary-General to consult the Government of Haiti as soon as possible concerning appropriate initiatives for the launching of a special programme of emergency assistance to Haiti and

to inform the Assembly on the outcome of such consultations. At its resumed session, five months later, the General Assembly, after receiving the Secretary-General's report (A/45/1002), adopted resolution 45/257 B which requested the Secretary-General to provide immediate assistance to the launching of an emergency programme and renewed its appeal to Member States, international financial institutions, the specialized agencies and organizations and programmes of the United Nations system to provide immediately the special assistance which Haiti required in order to support the efforts made by its people and Government in their struggle for democracy and economic survival.

43. Following the violent overthrow on 29 September 1991 of the elected President of Haiti, the General Assembly adopted on 11 October 1991 resolution 46/7 on the situation of democracy and human rights in Haiti in which, inter alia, bearing in mind that on the basis of its resolution 45/2 the United Nations system had supported the efforts of the people of Haiti to consolidate their democratic institutions and had also supported the holding of free elections on 16 December 1990, and given the importance of the international community's supporting the development of democracy in Haiti through the strengthening of its institutions and high priority for the serious social and economic problems that it faced, it strongly condemned the attempted illegal replacement of the constitutional President of Haiti and the use of violence, military coercion and the violation of human rights in that country, affirmed as unacceptable any entity resulting from that illegal situation and demanded the immediate restoration of the legitimate Government of President Jean-Bertrand Aristide.

III. UNITED NATIONS BODIES INVOLVED IN ELECTORAL ASSISTANCE

44. Electoral verification and technical electoral assistance are not unrelated activities. One important role of technical assistance mechanisms has been their use, at the outset of a Member State's request, as an instrument for initial fact-finding, gathering of information, evaluation of situations, etc. A second important role of electoral assistance, first practised in Haiti, is to provide, simultaneously with the verification operation, independent technical support, thus avoiding or minimizing possible problems due to deficiencies in electoral organization. Technical assistance might also contribute, through the strengthening of technical and professional capabilities, to the credibility of the electoral organization and the electoral process itself.

45. The involvement of the United Nations system in the electoral area has not been limited to electoral verification. For many years now, technical assistance has been provided to Governments in the field of governance and the organization of public administration, of which administration of electoral processes is an integral part. Governments have used the standard channels and mechanisms of authorization for requesting assistance for the organization of elections or for strengthening their electoral institutions. Technical assistance projects have focused on areas or institutions related to electoral

administration (e.g., the strengthening of civil registers and their linking to permanent electoral rolls and the introduction of new systems of personal identification to be used, inter alia, for electoral purposes). Such activities have been carried out by the Centre for Human Rights, the Department of Technical Cooperation for Development and the United Nations Development Programme. Their experience is briefly reviewed in the following paragraphs.

A. Centre for Human Rights

46. The Centre for Human Rights provides advisory and technical assistance in the legal and technical aspects of democratic elections as part of its programme of Advisory Services and Technical Assistance for Human Rights. The Centre, in consultation with the Government concerned, nominates experts in the various aspects of democratic elections who review national legislation and the practical aspects of the organization of elections. These experts visit the country concerned for in-depth exchanges of view and experiences with those involved in the elections process and make recommendations and suggestions as required. Under the programme, the mandate of the experts extends to providing legal and technical advice, but does not include involvement in the organization of the elections nor in supervising or observing how they actually take place. Assistance has been provided to the Governments of Romania and Albania on these issues, and discussions are now underway with the Government of Lesotho to explore the way in which expert assistance with regard to the legal and technical aspects of the elections scheduled for 1992 could be provided under the advisory services and technical assistance programme in the field of human rights.

47. In April/May 1990, at the request of the Government of Romania, a mission of two experts accompanied by a staff member of the Centre for Human Rights visited Bucharest to provide expert assistance with regard to the legal and technical aspects of the parliamentary and presidential elections scheduled for 20 May 1990. The experts held a series of meetings with the Central Electoral Bureau and met with the President and members of the Constitutional, Legal and Human Rights Commission of the Provisional National Unity Council, which had drafted the electoral law. They also met with government representatives and governmental legal experts and discussed the implementation of the electoral law with others interested in the subject. Prior to leaving Romania, the experts made preliminary observations and recommendations, and after returning to Geneva they adopted a detailed report containing further observations and recommendations.

48. At the request of the Government of Albania, two United Nations experts, accompanied by two United Nations staff members, visited that country from 20 to 23 March 1991 to provide expert assistance with regard to the legal and technical aspects of democratic elections scheduled for 31 March 1991. During their stay in Albania, the experts held a series of meetings with the Chairman of the Election Commission and other members of the Commission, the Chairman of the Computing Centre for the Elections and with the persons responsible for

State television. They also met with government representatives and with leaders of the major political parties engaging in the elections. Prior to leaving Albania, the experts provided the Government with their preliminary observations and recommendations and upon returning to Geneva drafted a detailed report with additional observations and recommendations.

49. During both these missions the experts discussed a wide range of issues with those responsible for the elections. Among these issues were: (a) procedures for handing complaints of irregularities in connection with the elections; (b) voting by persons residing outside the country; (c) voting by persons deprived of their liberty, but who still possess the right to vote; (d) future assistance on the elaboration of the new constitution and electoral law; (e) foreign observers, their status and how they could be organized; (f) security aspects of the polling station and the ballot boxes. In addition, other issues were discussed, such as the preparation of the electoral rolls, the qualifications of the candidates, the procedure and finalization of the nomination of candidates, the constitution and functioning of the constituency and polling station bureaux, minimum percentage of participation in each constituency to validate votes, provision for the interruption of voting, the equal access of the parties and independent candidates to the media, impartial coverage of the campaign by the State controlled media, the printing of party publications, the subsidies foreseen for the election campaign of the political parties, and the provision of information to voters on how voting takes place and on the freedom and secret nature of the ballot. Discussions also dealt with the responsibilities of public officials to ensure a peaceful and equitable campaign with regard to all parties and candidates.

50. Detailed recommendations were made in a number of areas, especially dealing with the procedures to be followed at polling stations before, during and after the vote. In addition, where necessary, legislative changes were recommended and clear general instructions for the interpretation of the various legislative texts were suggested. The observations and recommendations of the experts touched many other aspects of the electoral procedure, and the experts pointed out in each of their reports that the successful carrying out of free and fair democratic elections would depend upon the enjoyment of such rights as freedom of association, assembly, expression and opinion and of the other rights associated with democratic elections and on the practical implementation of the provisions of the electoral law. The visits to the countries concerned enabled the experts to appreciate at first hand the efforts made to organize free and fair democratic elections and to better understand the practical framework within which they had been organized. In both instances the experts met with the full cooperation of all authorities.

B. Department of Technical Cooperation for Development

51. As the Secretariat's arm for United Nations technical cooperation activities, the Department of Technical Cooperation for Development is

mandated to assist Member States, at their request, to strengthen their public sector institutions for effective governance. In this context, the Department has fielded missions, through its Interregional Advisory Services, to analyse and provide advice on a variety of electoral issues. These included the creation of permanent electoral registers, organization of registration processes, identification of citizens through more adequate documentation, possibilities of computerizing electoral rolls, strengthening the operation of electoral councils, handling of adjudications and grievance resolution, etc. In specific cases, such technical missions have culminated in the formulation and execution of large-scale technical cooperation programmes, as in the case of Haiti. More recently, the Department was involved in the context of the Central European Electoral Systems Symposium, in sponsoring the presentation of the Central American experience in the creation of a network of regional electoral institutions, and subsequent support to the organization of a Central European Association.

52. At present, the Department is actively pursuing a project for the strengthening of electoral administrations of developing countries, consisting in a series of workshops on electoral administration in Africa and Asia. The purpose of the workshops is to exchange experiences, collect information on the status of different countries and create the conditions for the creation and start-up of a permanent exchange mechanism. Another workshop will bring together electoral institutions and aid agencies from developed countries in order to discuss coordination of aid, as well as an enlarged role of electoral institutions in technical assistance. The project will conclude with an interregional conference that will bring together participants from different regions and discuss additional issues of relevance for the consolidation of the practice of fair elections.

C. United Nations Development Programme

53. Since 1976, UNDP has financed a series of projects that have provided electoral assistance. Eight of these have directly supported portions of electoral processes or have helped in establishing infrastructures necessary for the holding of elections. The majority of these projects have been carried out in the Latin American and Caribbean region. Almost all of them have been executed by the Department of Technical Cooperation for Development or by the Governments themselves.

54. UNDP assistance has been provided in a variety of different contexts. Most of the projects were geared at improving the technical capabilities of national electoral institutions. Areas of assistance included the establishment and maintenance of civil electoral registers, electoral electronic data processing, vote counting technologies, legal and logistic assistance, civic and voter education, radio communications and public information. Haiti was the first case in which comprehensive assistance was provided both for the setting up of the Electoral Council and for its support throughout the whole electoral process.

IV. CONSIDERATIONS OF A PRACTICAL NATURE

55. The experience acquired by the Organization has revealed how important it is that the electoral process to be verified have an international dimension and that the United Nations mission cover the entire electoral process, both in chronological as well as in geographical terms. Agreement on and clear understanding of the terms of reference of the mission to be undertaken and of its modalities are also important prerequisites for its success and to determine the cost of the operation (e.g., a request for the presence of observers at each polling site would significantly increase the cost of the operation). Such agreement or understanding should be based on information collected by a preliminary mission to the country concerned.

56. In the case of Namibia, the mandate of UNTAG was defined by Security Council resolution 435 (1978), in which the United Nations Plan for Namibia was approved, as well as by further explanatory reports or statements by the Secretary-General. The approaches followed for ONUVEN and ONUVEH were different. In the case of ONUVEN, the mandate of the mission was spelt out in an exchange of letters between the Government of Nicaragua and the Secretary-General, while in the case of ONUVEH the mandate was contained in General Assembly resolution 45/2, in which the Secretary-General was requested to meet, to the extent possible, a series of requests from the Government of Haiti including election observers and security personnel, and which had been preceded by protracted exchanges between the interim government and United Nations officials. In all the three cases the establishment of the actual verification mission was preceded by a series of preliminary or survey teams.

57. From the experience acquired in the establishment of field missions not necessarily connected with electoral verification, it appears that it would be desirable for the terms of reference of future missions to include not only the aspects of the electoral process to be verified, but also the approximate calendar for the entire operation and an estimate of the personnel and resources required. This would be useful in the consideration of the proposal by the relevant organs of the United Nations.

58. While the technical aspects of supervision or observation are important, they do not by any means constitute the sole contribution that a verification mission can or should make to the conduct of an electoral process. One of the basic reasons for United Nations involvement is to increase confidence in the electoral process, which should result in turn in increased voter participation and greater legitimacy for the process itself. Attention has already been drawn to the fact that the experiences acquired by the Organization reveal how important it is for electoral verification missions to have an international dimension, cover the entire electoral process and have agreement on and clear understanding of the terms of reference of the mission and its modalities. A basic lesson drawn from the experience of UNTAG, ONUVEN and ONUVEH is the psychological impact that the presence of United Nations observers has at all levels of the society and its contribution to a smooth electoral process. Electoral verification goes beyond the mere recording of the process and inevitably involves a role in the early correction of whatever

shortcomings are discovered. A passive role would be untenable, all the more so in situations of extreme mistrust, polarization or violence. Public information activities on the purpose and scope of the mission and, where appropriate, civic education campaigns have also proven to be useful tools, which justify their inclusion in the mandate of future missions.

59. The maintenance of a peaceful environment, in which public order and the political freedoms of citizens are guaranteed during the whole electoral period, is an essential factor in the credibility of the elections. In the case of Namibia, the electoral component of UNTAG included the presence of police monitors, in addition to the military component, elements that were absent in the case of ONUVEN. On the other hand, in Haiti the issue of electoral security was a major concern. United Nations assistance in this field can constitute, in certain cases, a fundamental element in achieving free, honest and credible elections. The suitability of such assistance should, however, be examined on a case-by-case basis, according to the circumstances of each country.

60. It has already been said that two key requirements for the proper organization of an electoral verification mission are adequate lead time and the dispatch to the country concerned of a preparatory team with the objective of clarifying the mandate of the mission, as well as planning its deployment. If it appears likely that an electoral verification mission will be approved by the appropriate political organ, it might be desirable to install a small advance group of experienced field officers in the country concerned who, in close cooperation with Headquarters, would make adequate preparations for the establishment of the mission. The Secretariat should therefore be in a position to have the personnel and resources available for the sending of a preliminary survey mission at very short notice and to speed up the establishment of the mission once approval has been obtained from the political organ concerned.

61. An essential prerequisite for the establishment of a verification mission is the conclusion of a Status of Mission Agreement with the host Government concerned describing, in addition to privileges and immunities of the United Nations operation, any condition that would allow the mission to fulfil its purpose.

62. If, in addition to verification, the request also involves the provision of technical assistance, it is important that the latter be provided at an early stage. Requests for technical assistance do not require approval of a political organ and therefore can be implemented more swiftly and at an earlier stage than the verification itself. In the case of Haiti, for instance, the provision of technical assistance began at least three months before the verification mission. The organization of future electoral missions should be coordinated with the provision by UNDP of any technical assistance project.

63. The extraordinary expansion of peace-keeping operations in the past four years has placed great stress on the financial capability and on the human

resources of the Organization. The impact of an operation such as UNTAG on the manpower of the Secretariat has been enormous. The staffing of missions has thus been and continues to be a matter of great concern to the Organization. In the case of electoral verification, it is essential to maintain an updated roster of staff members with experience in the electoral field, as well as specialized personnel, perhaps drawn from national electoral bodies of Member States, who can be called upon at rather short notice to assist in future missions.

64. Once a verification mission has been established, the influx of additional observers required for the period of registration and voting can pose severe logistical problems, particularly in the area of transportation and lodging. Logistical limits might thus be one of the factors in determining the total number of observers. The number of observers in Nicaragua and Haiti during registration and at polling day was increased through the addition of personnel from organizations within the United Nations system working in the region who were familiar with the language and conditions of the country. In some cases, selected individuals from non-governmental organizations have been integrated as observers in verification missions. In this context, it is important to ensure the continuous managerial control of all aspects of the operation by United Nations staff, answerable to the Secretary-General, at each location of the mission.

65. As is well known, several regional and intergovernmental organizations, as well as non-governmental organizations, have abundant experience in the electoral field, and many of the replies received emphasize the importance of coordinating future United Nations initiatives with them. In Nicaragua and Haiti, close coordination was established with OAS, with each organization maintaining its own identity in structure but joining for specific purposes such as carrying out a quick count in Haiti and the distribution of observers throughout the territory. These arrangements minimized duplication of effort and avoided additional expenses. More ambitious agreements, such as joint missions, or agreements covering a wider sharing of tasks would have to be carefully analysed, since the advantages resulting in cost reduction might be offset by difficulties of a managerial or political nature.

66. Contacts with non-governmental organizations have often been mutually fruitful. Because of their nature, those organizations are often able to make a contribution in areas where the United Nations, for political or other reasons, lacks the capacity to be effective. On the other hand, there might be cases where non-governmental organizations or institutions have a different agenda or working methods or might be perceived as politically partisan. Cooperation with these organizations in the framework of a verification mission would thus need to be evaluated on an ad hoc basis.

67. Without enough lead time to complete logistical arrangements for a verification mission, it might not be possible to cover all stages of the electoral process or to make the necessary arrangements to ensure the presence of the observers throughout the territory. In such a case, the Organization

should not become involved in any verification activity. The experience accumulated in previous operations might permit, in the future, a more rapid response to requests for electoral verification. However, this could only be achieved if the Secretary-General had greater authority for the allotment of funds for preparatory activities while awaiting a decision by the appropriate organ of the United Nations.

Financing

68. An important aspect of United Nations involvement in electoral matters is the question of financing. In this regard, a distinction should be made between the financing of electoral verification missions and the financing of electoral assistance (technical or advisory services).

69. Verification missions have been financed in a variety of ways. Those carried out in the framework of decolonization were financed under the regular budget within the framework of the responsibilities of the Trusteeship Council or the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples. In the cases of Namibia and MINURSO, the missions were assessed against the special peace-keeping formula. The verification missions in Nicaragua and Haiti were financed from the regular budget of the Organization.

70. Technical assistance projects have been financed from the regular budget and voluntary contributions. In the case of the Department of Technical Cooperation for Development, the services of interregional advisers, provided upon request by Governments, have been financed from the regular budget. Projects have also been financed from within the Indicative Planning Figures (IPF) of UNDP.

71. In the latest report of the Secretary-General on the work of the Organization, 1/ reference was made to the dichotomy between the increasingly varied and complex mandates entrusted to the Secretariat and the lack of adequate funding of the operations resulting from these mandates. Member States should be aware that any serious electoral verification mission conducted by the United Nations could involve substantial expenditures for the Organization.

72. Several replies received from Member States contained suggestions on the means of financing the Organization's activities in the electoral field. According to some replies, financing should be covered by voluntary contributions. Others suggested that the bulk of the expenses should be borne by the requesting country. In the case of electoral technical assistance, the financing by voluntary contributions and/or by the requesting Government may prove to be workable, provided funds are made available prior to the initiation of the project. However, the financing of verification missions is a more complex issue because the establishment of such missions may require authorization by the General Assembly or, in some cases, the Security Council. In the case of future requests from Member States for verification of their electoral processes, it might be proposed that all missions approved

by the General Assembly or the Security Council should be funded from the regular budget of the Organization outside of the contingency fund.

73. A further consideration militating against the financing of electoral verification missions on a purely voluntary basis is the dire budgetary situation of several United Nations operations financed in this manner. In addition, some Governments in their replies expressed the concern that such an approach might result in selective contributions, with voluntary funds being available for electoral verification in certain countries and not in others. This could also affect the perception of the impartiality of the United Nations in conducting this type of operation.

74. Many of the replies received from Member States stressed the need to reduce the cost of future operations. Some arrangements have been worked out whereby, the requesting Government has offered certain facilities to the mission, although the acceptance of such offers must be carefully weighed in light of the need to preserve the impartiality of the mission. Obviously, any electoral verification field mission must have appropriate accommodations, communications and transport facilities; if adequate financial provisions are not made for such necessities, there could be a negative impact on the mission.

V. CONCLUDING OBSERVATIONS

75. In the present report I have presented an overview of the experience of the Organization in the fields of electoral verification and assistance, which I hope will prove useful in the debate in the General Assembly on these questions. In the past few years, the world has witnessed enormous changes, the full effect of which is still unclear. We are living in times of great hope coupled with uncertainties. In this complex situation, the purposes and principles of the Charter such as respect for human rights, social progress, and economic development in larger freedom are receiving greater recognition and encouragement than ever before. Political pluralism is increasingly evident in recent years, yet accelerated economic development is necessary to provide the underpinning required for the consolidation of genuine participatory democracy, in which socio-economic as well as political rights are respected.

76. Elections in and of themselves do not constitute democracy. They are not an end but a step, albeit an important and often essential one, on the path towards the democratization of societies and the realization of the right to take part in the governance of one's country as enunciated in major international human rights instruments. It would be unfortunate to confuse the end with the means and to forget that democracy implies far more than the mere act of periodically casting a vote, but covers the entire process of participation by citizens in the political life of their country.

77. Many of the replies received from Member States in the preparation of this report favour a continued and, indeed, expanded United Nations

involvement in electoral processes, going beyond mere technical assistance. Certain States, however, expressed reservations concerning an unqualified expansion of the role of the United Nations in the field of electoral verification, citing in essence the provisions of Article 2, paragraph 7, of the Charter.

78. It is the view of most Member States that replied to my inquiry, a view which I share, that electoral verification by the United Nations should remain an exceptional activity of the Organization and should be undertaken only in well-defined circumstances.

79. While I consider it important for the United Nations to continue to use its discretion in deciding how to respond to requests for electoral verification and to decide on a case-by-case basis, I believe that certain criteria, along the lines of those I mentioned in my 1990 report on the work of the Organization, ought to be met before agreeing to such requests. Namely, requests should pertain primarily to situations with a clear international dimension; the monitoring of an election or referendum should cover the entire electoral process in order to secure conditions of fairness and impartiality; where the induction of a United Nations presence in the electoral process of a State at a critical point in its political life is sought by the Government concerned, there must be broad public support in the State for the United Nations assuming such a role; and, finally, there should be approval by the competent organ of the United Nations.

80. As far as organizational aspects are concerned, most Member States that replied opposed the establishment of a new United Nations structure to verify elections or provide electoral assistance. For my part, I consider it necessary for the Organization to retain the necessary flexibility to tackle the variety of situations that are likely to arise, while ensuring proper coordination and consistency in responding to requests from Member States.

81. In order to ensure consistency in the handling of such requests in the future, it is my view that a senior official should be designated in the Offices of the Secretary-General to act as focal point within the Secretariat. This senior official, who could carry the designation of Coordinator for Electoral Matters, could assist the Secretary-General in the consideration and channeling of requests for electoral verification or assistance to the appropriate Office or Programme; ensure carefully considered responses to such requests, build on experience gained to develop an institutional memory of United Nations experience in the electoral field; and develop and maintain a roster of international experts who could provide technical assistance as well as assist in the verification of electoral processes. He would be assisted by a small staff in the discharge of his functions. The Coordinator would neither pre-empt nor supersede ongoing arrangements regarding electoral assistance. The responsibilities of the Coordinator would be without prejudice to operational arrangements for missions which the Organization should decide to undertake and would be confined to the conceptual level. The Coordinator would also maintain close contact with regional and other intergovernmental organizations to ensure

appropriate working arrangements with them and the avoidance of duplication of efforts.

82. As a first step, I am accordingly requesting the Assistant Secretary-General of the Office for Research and the Collection of Information, with the assistance of a task force composed of representatives of offices and departments having experience in this field, to assist the Secretary-General in developing detailed guidelines and terms of reference for United Nations electoral involvement. He will also prepare uniform criteria for the assessment of electoral processes and prepare a manual for use by United Nations election monitors. This official will also be responsible for organizing preliminary missions to determine United Nations responses to requests for electoral verification.

Notes

1/ Replies received from non-governmental organizations, institutions or other entities are available for consultation in the Secretariat.

2/ For further details see Decolonization Bulletin No. 19 of December 1983 and Decolonization Bulletin No. 39 of April 1990 and the annex to the present report.

3/ The 1972 joint Trusteeship Council and Special Committee mission to Papua New Guinea, carried out in a fairly large country with minimal logistical support, would deserve further study.

4/ For further details see Security Council resolution 690 (1991), S/21360 and S/22464 and Corr.1.

5/ For further details see A/46/608-S/23177 and Security Council resolutions 717 (1991) and 718 (1991).

ANNEX

Plebiscites, referenda and elections held under the supervision or observation of the United Nations in Trust and Non-Self-Governing Territories

Year	Territory
1956	Togoland unification and future Togoland under British administration: plebiscite supervision.
1958	Togoland under French administration: election supervision.
1959	British Cameroon (northern part): plebiscite supervision.
1961	British Cameroon (southern and northern parts): plebiscite supervision.
1961	Western Samoa: plebiscite supervision.
1961-1962	Ruanda-Urundi: election supervision (including referendum on the Mwami).
1963	Malaysia: inquiry on future of Sabah and Sarawak prior to establishment of Federation of Malaysia.
1965	Cook Islands: election supervision.
1967	Aden: election supervision (Mission was not permitted to achieve fulfilment of its mandate).
1968	Equatorial Guinea: referendum/election supervision.
1969	West Irian: act of self-determination.
1970	Bahrain: ascertain wishes of people of Bahrain.
1972	Papua New Guinea: election observation.
1974	Niue: referendum observation.
1974	Gilbert and Ellice Islands: referendum observation.
1975	Mariana Islands, Trust Territory of the Pacific Islands: plebiscite observation.
1977	French Somaliland: referendum/election observation.
1978	Trust Territory of the Pacific Islands: referendum.

Year	Territory
1979	Marshall Islands, Trust Territory of the Pacific Islands: referendum.
1979	Palau, Trust Territory of the Pacific Islands: referendum.
1979	New Hebrides: election observation.
1980	Turks and Caicos Islands: election observation.
1983	Palau, Trust Territory of the Pacific Islands: plebiscite observation.
1983	Federated States of Micronesia, Trust Territory of the Pacific Islands: plebiscite observation.
1983	Marshall Islands, Trust Territory of the Pacific Islands: plebiscite observation.
1986	Palau, Trust Territory of the Pacific Islands: plebiscite observation (February 1986) plebiscite observation (December 1986)
1984	Cocos (Keeling) Islands: act of self-determination.
1987	Palau, Trust Territory of the Pacific Islands: plebiscite observation (June 1987) plebiscite observation (August 1987)
1989	Namibia: election supervision and control.
1990	Palau, Trust Territory of the Pacific Islands: plebiscite observation.

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HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS QUESTIONS, INCLUDING ALTERNATIVE APPROACHES FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

Enhancing the effectiveness of the principle of periodic and genuine elections

Report of the Secretary-General

Corrigendum

1. Paragraph 71: the footnote indicator should read 6/

2. Notes: after footnote 5 add

6/ Official Records of the General Assembly, Forty-sixth Session, Supplement No. 1 (A/46/1).

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